



# Warren Commission Fault Was Finality

By Max Lerner

*Evening Journal 11/29/67*

On the fourth anniversary of President John F. Kennedy's assassination, the river of books on it keeps rolling along. One man who doubtless has been reading all the new ones is Dist. Atty. Jim Garrison of New Orleans, who has entered on a monumental and endless hegira in quest of a New Orleans plot to kill President Kennedy.

Certainly he has read Harold Weisberg's new paperback, "Oswald in New Orleans: Case of Conspiracy With the CIA," which I infer from the fact he wrote a foreword for it and also from his heavy reliance on Weisberg's two earlier books ("Whitewash I" and "Whitewash II").

If he has also read Sylvia Meagher's "Accessories After the Fact," he will find a good deal of common ground in her long, knowledgeable and highly detailed indictment of the Warren Commission, although he will be depressed at the author's blast in her closing pages against Garrison's own methods and against the Warren critics who support him, "condoning tactics which they might not condone on the part of others."

FINALLY, he must have read Josiah Thompson's "Six Seconds in Dallas," which I discussed yesterday and which reconstructs a deathtrap by three gunmen rather similar to the plan for a "triangulated" firing which Garrison has attributed to Dave Ferrie, presumably the "mastermind" of the New Orleans plot. Ferrie either died naturally or killed himself before Garrison could arrest him, and Garrison has been trying ever since to nail down the plot without the master-plotters.

For most of the anti-Warren authors, as for Garrison himself, there are two plots that seem to worry them: One is whatever version of an anti-Kennedy plot they plump for; the other is a presumed government plot (through the commission itself, the FBI, the Justice Department and the CIA to keep the truth about the assassination plot hidden from the people). Some form of an anti-Kennedy plot now seems possible to me, but I confess that I cannot see a deliberate government plot to cover up the crime and protect the criminals.

What I see instead is a bias toward a single-assassin theory on the part of the commission and its staff, because they were in a hurry and because it fitted more facts than any other theory. Once they had adopted this position, they were not overanxious to follow up leads that might unsettle it. In addition, the underground agencies — FBI and CIA—may well have had additional reasons for not

wanting some of their past activities exposed to public view, for the same reason that every secret agency in the world finds ways of shielding itself from exposure and humiliation. (For instances from the record of the major nations today, see the shrewdly informative new book by David Wise and Thomas B. Ross, "The Espionage Establishment.")

GARRISON'S foreword to the Weisberg book, in which he says nothing about the book itself, is a brilliantly sulfurous attack on the American government agencies in Orwellian terms, as "Big Brother" and the "Ministry of Truth," involved in "a thought-control project in the best traditions of '1984'" and intent on rewriting the history of the past (the assassination) in order to control the future.

The excessiveness of his language may be an index also of the excessiveness of his methods in trying to crack the New Orleans "plot" of which he has convinced himself beyond doubt and redress. He has gone too far to retreat: "They must conquer or die who have no retreat." The array of opponents he has taken on marks him as reckless or quixotic. I read Weisberg's new book eagerly and was not even too badly hobbled by his chaotic sequence and his endless diversions because I wanted to discover what his friend Garrison had developed in terms of broad strategy or hard evidence since I talked with him in New Orleans.

WHAT I found to my delight were two long documentary portraits of Dean Andrews, the "jive-talking lawyer" who had done some legal work for Lee Harvey Oswald in New Orleans. This is the Andrews who told of knowing a "Clay Bertrand" whom Garrison is intent on proving to have been Clay Shaw, now awaiting trial. His interview with Wesley Liebel, the Warren Commission staff member, and even more his telephone interview with Bob Scott, of radio station WNAC in Boston, are the stuff of great documentary literature, with a racy Andrews style of talking that puts all the hep-cat novelists to shame.

But this griety is less than proof, nor do the attacks on the single-assassin version add up to an alternative scenario of who the actual plotters were and why they killed Mr. Kennedy. That remains for the years ahead, if ever. The Warren Commission, whatever its detailed mistakes, made one massive blunder — that of closing its inquiry. It should have rendered an interim "not proven" report and kept the inquiry open-ended until the pieces fitted into a better pattern than they did then or now.

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